



Whittier City School District

Students First. Every Decision – Every Day.

Office of Business Services

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December 15, 2011

Sachi A. Hamai
Executive Officer of the
Board of Supervisors
Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

46 March 13, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

RE: Whittier City School District Bond Election, November 6, 2012

Dear Ms. Hamai:

Enclosed is a copy of the Resolution adopted by the Board of Education of the Whittier City School District on November 16, 2011 calling a school bond election for November 6, 2012 and requesting consolidation with other elections occurring on November 6, 2012.

Very truly yours,

Jon E. McNeil
Jon E. McNeil
Assistant Superintendent Business Services
Whittier City School District

JM:cg

Enclosure

RESOLUTION NO. 2011-12-R7

**RESOLUTION OF THE BOARD OF EDUCATION OF THE WHITTIER CITY
SCHOOL DISTRICT ORDERING AN ELECTION TO AUTHORIZE THE ISSUANCE
OF SCHOOL BONDS, ESTABLISHING SPECIFICATIONS OF THE ELECTION
ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON NOVEMBER 6, 2012**

WHEREAS, in the judgment of the Board of Education (the "Board") of the Whittier City School District (the "District"), it is advisable to call an election to submit to the electors of the District the question whether bonds of the District shall be issued and sold for the purpose of raising money for the acquisition or improvement of real property, and the furnishing and equipping of school facilities; and

WHEREAS, as a result of the approval of Proposition 39 on November 7, 2000, Article XIII A, Section 1, paragraph (b), of the California Constitution ("Article XIII A") provides an exception to the limit on *ad valorem* property taxes on real property for bonded indebtedness incurred by a school district approved by 55 percent of the voters of the district voting on the proposition; and

WHEREAS, the Board is specifically authorized, upon approval by a two-thirds vote of the Board, to pursue the authorization and issuance of bonds by a fifty-five percent (55%) vote of the electorate on the question whether bonds of the District shall be issued and sold for specified purposes, pursuant to Education Code Section 15264 *et seq.* (the "Act"); and

WHEREAS, pursuant to the California Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 6, 2012, and to request the Los Angeles County Registrar of Voters to perform certain election services for the District; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Whittier City School District the following:

Section 1. Call for Election. The Board hereby orders an election and submits to the electors of the District the question of whether general obligation bonds of the District shall be issued and sold in the maximum principal amount of \$55,000,000 for the purpose of raising money to finance school facilities and property of the District, and paying costs incident thereto, as set forth more fully in the ballot proposition approved pursuant to Section 3. This Resolution constitutes the order of the District to call such election.

Section 2. Election Date. The date of the election shall be November 6, 2012, and the election shall be held solely within the boundaries of the District.

Section 3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the District to vote on a proposition, a full copy of which is attached hereto and marked Exhibit A, containing the question of whether the District shall issue the Bonds for the purpose stated therein, together with the

accountability requirements of Article XIII A and Government Code Section 53410 and the requirements of Section 15272 of the Act. The Los Angeles County Registrar of Voters (the "County Registrar") is requested to print the Full Text of Measure contained on Exhibit A, including Exhibit A-1 in the sample ballot pamphlet. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is attached hereto and marked as Exhibit B. The Superintendent or his designee is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of Article XIII A, the Act, or the Los Angeles County Registrar of Voters.

Section 4. Authority for Election. The authority for ordering the election is contained in Section 15264 *et. seq.* of the Education Code and Section I, paragraph (b), subsection (3), of Article XIII A. The authority for the specification of this election order is contained in Section 5322 of the Education Code.

Section 5. School Facilities Projects. As required by Article XIII A, the Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the list of school facilities projects set forth on Exhibit A-1.

Section 6. Covenants of the Board upon Approval of the Bonds by the Electorate. As required by Article XIII, Section 15278 of the Act, and Government Code Section 53410, in the event 55 percent of the voters voting in the District approve of the Bonds, the Board shall:

1. conduct an annual, independent performance audit to ensure that the funds have been expended only on the projects listed in Exhibit A-1;
2. conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects listed in Exhibit A-1;
3. establish and appoint members to an independent citizens' oversight committee in accordance with Sections 15278, 15280, and 15282 of the Act;
4. apply the bond proceeds only to the specific purposes stated in the ballot proposition;
5. cause creation of accounts into which bond proceeds shall be deposited; and
6. cause the preparation of an annual report pursuant to Government Code Sections 53410 and 53411.

Section 7. Delivery of this Resolution. The Clerk of the Board is hereby directed to send a copy of this Resolution to the Los Angeles County Superintendent of Schools, the County Registrar and the Los Angeles County Clerk of the Board of Supervisors.

Section 8. Consolidation of Election. The County Registrar and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 6, 2012, within the District.

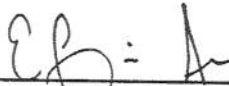
Section 9. Ballot Arguments; Tax Rate Statement. Any and all members of this Board are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including a rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary to place the bond measure on the ballot.

Section 10. Elections Code. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of Los Angeles County, is requested to permit the Registrar of Voters to render all services specified by Section 10418 of the Elections Code relating to the election, for which services the District agrees to reimburse Los Angeles County in full upon presentation of a bill, such services to include the mailing of the sample ballot and tax rate statement (described in Section 9401 of the Elections Code).

Section 11. Effective Date. This resolution shall take effect on and after its adoption.

PASSED AND ADOPTED by the Board of Education of the Whittier City School District the 16th day of November, 2011.

Signed:



Efrain Aceves, Clerk

CLERK'S CERTIFICATE

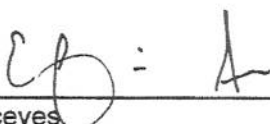
I, Efrain Aceves, Clerk of the Board of Education of the WHITTIER CITY SCHOOL DISTRICT, hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 2011-12-R7 adopted at a regular meeting place thereof on the 16th day of November, 2011, of which meeting all the members of said Board of Education had due notice and at which a majority thereof were present, and that at said meeting said resolution was adopted by the following vote:

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSENT:	<u>0</u>
ABSTENTIONS:	<u>0</u>

An agenda of said meeting was posted at least 72 hours before said meeting at Whittier, California, a location freely accessible to members of the public, and a brief general description of said resolution appeared on said agenda.

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office; that the foregoing resolution is a full, true and correct copy of the original resolution adopted at said board meeting and entered in said minutes; and that said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: November 16, 2011



Efrain Aceves,
Clerk of the Board of Education of the
WHITTIER CITY SCHOOL DISTRICT

EXHIBIT A
BALLOT MEASURE
FULL TEXT OF MEASURE

This proposition may be known and referred to as the Whittier City School District General Obligation Bond of 2012, or Measure _____

FINDINGS

The Whittier City School District (the "District"), which serves the community of Whittier, is a recognized leader in providing top quality education to Whittier students.

The achievements have been accrued by the District as a result of the long history of visionary leadership from the Board of Education of the District (the "Board"), as well as from staff members, parents, and members of the District communities. During its long history, the District has benefited from a community, which supports its educational institutions by establishing high standards for academic achievement while at the same time providing the means required to meet and even to surpass those expectations.

In order to provide our local students with the same classrooms and school facilities as other California school districts, major repairs and upgrades are necessary to ensure these buildings will remain functional for future generations.

The Board has prepared a facilities plan and identified significant repairs, upgrades, and classroom and facility modernization needs that are more than the District is able to fund from currently available sources or annual revenues

The District has sought, and continues to seek, all available outside sources of funding to improve our school buildings, including local, state, and federal grants and state bond funds. Historically, the state requires that local school districts provide local funds as a condition of receipt of state matching funds.

It is necessary to seek voter approval of a bond measure in order to provide the local funding for identified school facility repairs and modernization projects.

BOND AUTHORIZATION

By approval of this proposition by at least 55 percent of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$55,000,000 in aggregated principal at interest rates below the legal limit, to provide finance for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A-1, subject to all the accountability requirements specified below.

BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit A-1 shall be considered a part of the ballot proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition.

Approval of this Bond Measure (the "Measure") does not guarantee that the proposed project or projects in the District that are the subject of bonds under the Measure will be funded beyond the local revenues generated by the Measure. If state or Federal matching funds become available, they will be used for and applied to the Bond Project List as per Exhibit A-1.

The school district's proposal for the project or projects may assume the receipt of matching state or Federal funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure or other Federal programs.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent wisely to address specific facilities needs of the District all in compliance with the requirements of Article XIII A, Section 1(b)(3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following.)

Evaluation of Needs. The Board has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the District. The Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the Bond Project List contained in Exhibit A-1.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the school facilities projects listed in Exhibit A-1. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A-1.

Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A-1.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board annually stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine and may be incorporated in the annual budget, audit, or another appropriate routine report to the Board.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction and/or rehabilitation of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The proceeds of the bonds will be deposited into a Building Fund to be held by the Los Angeles County Treasurer, as required by the California Education Code.

EXHIBIT A-1

BOND PROJECT LIST

Bond proceeds will be expended to repair, modernize, replace, renovate, expand, construct, acquire, equip, furnish and otherwise improve the classrooms and school facilities of the District, including those located at the following locations:

- Wallen L. Andrews Elementary
- Walter Dexter Middle
- Katherine Edwards Middle
- Benjamin Franklin Elementary
- Lou Henry Hoover Elementary
- Abraham Lincoln Elementary
- Longfellow Elementary
- Lydia Jackson Elementary
- Mill Elementary School
- Orange Grove Elementary
- Daniel Phelan Elementary
- Christian Sorensen Elementary
- George Washington Elementary
- West Whittier Elementary

The specific school facilities projects to be funded include, but shall not be limited to:

Health, Safety, and Security Projects

- Improve handicapped accessibility by making Federal and State-mandated Americans with Disabilities Act (ADA) accessibility upgrades and as mandated by the Division of the State Architect (DSA) including site access, parking, restrooms, relocation of some existing electrical devices, drinking fountains, playground equipment, ramps, etc.
- Replace fire alarm systems, repair fire safety equipment, and emergency exit lighting improvements.
- Install security systems, cameras, and increase lighting throughout.
- Federal and State-mandated Occupational Safety & Health Administration (OSHA) safety upgrades including playground areas and playground equipment replacement.
- Reconfigure or relocate student drop-off/pick-up areas and add speed bumps to increase student safety.
- Repair/resurface paved surfaces, walkways, turf, and other grounds to eliminate safety hazards and improve outside instructional areas.
- Install or repair security fencing and gates, and improve/reconfigure entry to school sites throughout the District to increase student and staff safety.
- Repair, pave, or expand parking and driveways.
- Make health and safety repairs and improvements such as repair dry rot, hazardous materials abatement, air quality improvements, and pest control.

Renovation, Upgrade, and New Construction Projects

- Repair or replace leaky roofs, and replace gutters throughout the District.
- Repair/replace deteriorating plumbing, drainage, and sewer systems, including installing irrigation systems in the athletic fields.

- Upgrade outdated restrooms and all drinking fountains, and construct additional restrooms and drinking fountains.
- Strengthen and repair schools and classrooms vulnerable to serious damage in a major earthquake, as required by State law.
- Modernize outdated classroom interiors, such as new paint, carpet/vinyl, white marker boards, tackable surfaces, and increased storage capacity for instructional materials and equipment, etc.
- Renovate, repair, expand and/or upgrade the interior and/or exterior of existing classrooms and school facilities throughout the District, including new paint, doors, hardware, flooring, infrastructure, landscaping and beautification improvements.
- Improve energy-efficiency by installing energy-efficient systems including "green" building projects and sustainable building practices to promote energy-efficiency and conservation of other natural resources (e.g., Energy Management Systems (EMS), lighting, and HVAC systems, etc.).
- Renovate or replace outdated temporary portable classrooms, including interior paint, new roofs, concrete ramps, etc. or replace with permanent classrooms.
- Replace/upgrade existing signage, marquees, and clock and bell systems.
- Upgrade, expand, repair, construct and/or equip science and nature labs, multi-purpose rooms, cafeterias, eating areas, outside seating/reading areas, auditoriums, amphitheaters, libraries, athletic fields and facilities, performing arts centers, school sites, and other District support and administrative facilities.

District-wide Wiring and Technology Projects

- Upgrade electrical systems to accommodate technology improvements.
- Expand and update technology infrastructure such as campus-wide public announcement (PA) and wireless systems, and telecommunications, internet, and network connections.
- Upgrade computers, computer labs, hardware, and software.
- Upgrade media, audio/visual equipment, and other technology for effective learning environments, such as smart boards, teaching walls and projectors.
- Upgrade and replace classroom equipment and instructional aides.

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, project/program management, staff training expenses and a customary contingency, and escalation for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the payment of the costs of preparation of all facility planning, facility assessment reviews, environmental studies, construction documentation, inspection and permit fees, and temporary housing of dislocated District activities caused by bond projects, as well as the retirement of outstanding lease obligations. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, and other miscellaneous

equipment and software. The repair of school facilities includes the construction of shade structures for student assembly and protecting students from inclement weather during lunch, classrooms, media centers, computer labs, trash enclosures, libraries and District support facilities, athletic fields, tracks and turf may be upgraded for safety and operational efficiency, and replacement of drinking fountains. The allocation of bond proceeds may be affected by the District's receipt of State or Federal matching funds and the final costs of each project. In the absence of State or Federal matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District may not be able to complete some of the projects listed above. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans are finalized, construction bids are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating enhanced and operationally efficient campuses. Necessary site preparation/restoration and landscaping, may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, redirecting fire access, and acquiring any necessary easements, licenses, or rights of way to the property.

EXHIBIT B

BALLOT MEASURE (ABBREVIATED FORM)

"To improve the quality of education, replace deteriorating roofs; improve access to computers and technology; replace old plumbing systems; make health, safety, and handicapped accessibility improvements; replace outdated heating ventilation and cooling systems; modernize outdated classrooms and school facilities; and improve energy efficiency; shall the Whittier City Elementary School District issue \$55,000,000 of bonds at legal interest rates, have an independent citizens' oversight committee and have NO money used for administrative or teacher salaries, or taken by the state?"